

**STATE OF NEW HAMPSHIRE**

**SITE EVALUATION COMMITTEE**

**Application of Tennessee Gas Pipeline  
Londonderry 20" Replacement Project**

**SEC Docket No. 00-01**

**Application of Tennessee Gas Pipeline (Tennessee) for a Certificate of Site and Facility to construct install and operate 19.3 miles, of 20 inch replacement pipe commencing in Dracut, Massachusetts and terminating in Londonderry, New Hampshire; and to construct, install and operate delivery point facilities, including a meter station, to allow Tennessee to provide firm gas transportation service of up to 130,000 dekatherms per day of natural gas to a new industrial end-use customer, AES Londonderry, LLC (AES).**

**The pipeline will extend from a proposed interconnection with the existing pipeline facilities of the Tennessee Gas Pipeline in Dracut, Massachusetts, continuing parallel and adjacent to the existing 12 inch Concord lateral and terminating in Londonderry, New Hampshire. The Towns traversed include Pelham Windham and Londonderry.**

**ORDER**

**CERTIFICATE OF SITE AND FACILITY**

The Site Evaluation Committee's Decision, dated December 28, 2000, with conditions attached thereto is made a part of this Order and it is hereby:

**ORDERED**, That the Tennessee Gas Pipeline (Tennessee) Application for an Energy Facility Certificate to construct install and operate 19.3 miles, of 20 inch replacement pipe commencing in Dracut, Massachusetts and terminating in Londonderry, New Hampshire; and to construct, install and operate delivery point facilities, including a meter station, to allow Tennessee to provide firm gas transportation service of up to 130,000 dekatherms per day of natural gas to a new industrial end-use customer, AES Londonderry, LLC (AES) is granted, and it is hereby:

**FURTHER ORDERED**, that the proposed Energy Facility is of sufficient character and environmental impact to require a Certificate of Site and Facility, and it is hereby:

**FURTHER ORDERED**, that the requisite good cause exists to permit issuance of this Certificate of Energy Facility to permit construction of the proposed replacement 20" pipeline, and abandonment of the 12 inch pipeline, and it is hereby:

**FURTHER ORDERED**, that a Certificate of Energy Facility be, and hereby is granted, pursuant to RSA 162-H, to construct install and operate 19.3 miles, of 20 inch replacement pipe commencing in Dracut, Massachusetts and terminating in Londonderry, New Hampshire; and to construct, install and operate delivery point facilities, including a meter station, to allow Tennessee to provide firm gas transportation service of up to 130,000 dekatherms per day of natural gas to a new industrial end-use customer, AES Londonderry, LLC, and it is hereby

**FURTHER ORDERED**, that the Stipulation entered into by the Applicant and Public Counsel, (Attachment A) shall be a part of this Order and the provisions of Attachment A shall be regarded as terms and condition, and it is:

**FURTHER ORDERED**, that the document titled Final Terms and Conditions submitted by the Department of Environmental Services (Attachment B) shall be a part of this order and the provisions of Attachment B shall be regarded as terms and condition, and it is:

**FURTHER ORDERED**, the Public Utilities Commission, Safety Division's terms and conditions (Attachment C) shall be a part of this Order and the provisions of Attachment C shall be regarded as terms and condition, and it is:

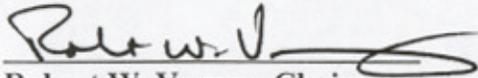
**FURTHER ORDERED**, that the Appendix to the FERC Order (Attachment D) shall be a part of this Order and the provisions of Attachment D shall be regarded as terms and conditions, and it is:

**FURTHER ORDERED**, that the Committee's terms and conditions regarding orderly development (Attachment E) shall be part of this Order; and it is:

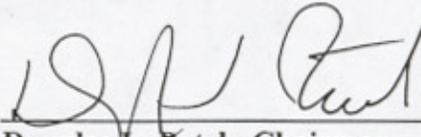
**FURTHER ORDERED**, that all licenses and/or permits issued by the New Hampshire Department of Environmental Services, Water Division, under RSA 482-A, RSA 485-A, RSA 483-B, the Commissioner of the Department of Transportation under RSA 231, the Office of State Planning, and the Public Utilities Commission under RSA 371, are granted, with the conditions attached thereto and pursuant to RSA-162-H:16 VII and VIII. All state and federal standards and requirements shall be met by the Tennessee Gas Pipeline Company, as a condition of granting this Certificate of Site and Facility; and it is:

**FURTHER ORDERED**, pursuant to RSA 162-H:4 III, the Public Utilities Commission is authorized to monitor the safety and construction aspects of the pipeline, and the Department of Environmental Services is authorized to monitor and enforce environmental standards including the authority to approve minor changes.

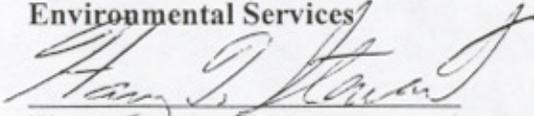
By Order of the Energy Facility Site Evaluation Committee of New Hampshire this 28th day of December, 2000.



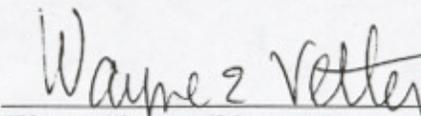
Robert W. Varney, Chairman  
Commissioner, Dept. of  
Environmental Services



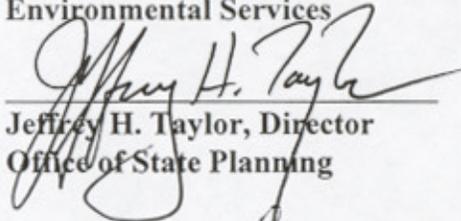
Douglas L. Patch, Chairman  
Public Utilities Commission



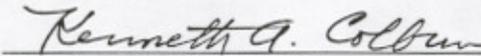
Harry Stewart, Director  
Water Division, Dept. of  
Environmental Services



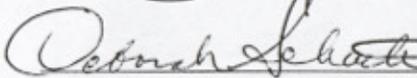
Wayne Vetter, Director  
Fish and Game Dept.



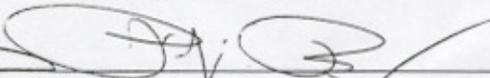
Jeffrey H. Taylor, Director  
Office of State Planning



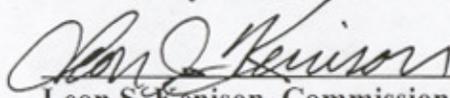
Kenneth A. Colburn, Director  
Air Resources Division, Dept.  
of Environmental Services



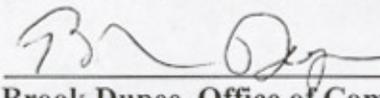
Deborah Schachter, Director  
Governor's Office of Energy &  
Community Services



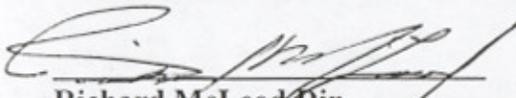
Philip Bryce, Director  
Division of Forest & Lands, Dept. of  
Resources & Economic Development



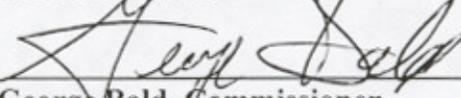
Leon S. Kenison, Commissioner  
Dept. of Transportation



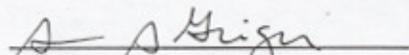
Brook Dupee, Office of Community &  
Public Health, Dept. of Public Health &  
Human Services



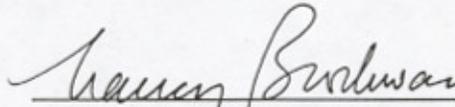
Richard McLeod Dir.  
Division of Parks,  
Dept. of Resources & Economic  
Development



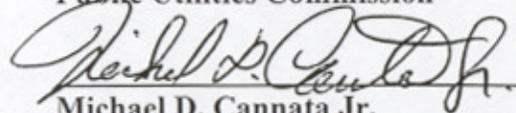
George Bald, Commissioner  
Dept. of Resources & Economic  
Development



Susan S. Geiger, Commissioner  
Public Utilities Commission



Nancy Brockway, Commissioner  
Public Utilities Commission



Michael D. Cannata Jr.  
Chief Engineer  
Public Utilities Commission

## **Appeals Process**

Any person or party aggrieved by this decision or order may appeal this decision or order to the New Hampshire Supreme Court by complying with the following provisions of RSA 541:1

**541:3 Motion for Rehearing.** - Within 30 days after any order or decision has been made by the commission, any party to the action or proceeding before the commission, or any person directly affected thereby, may apply for a rehearing in respect to any matter determined in action or proceeding, or covered or included in the order, specifying in the motion all grounds for rehearing, and the commission may grant such rehearing if in its opinion good reason for the rehearing is stated in the motion.

**541:4 Specifications.** - Such motion shall set forth fully every ground upon which it is claimed that the decision or order complained of is unlawful or unreasonable. No appeal from any order or decision of the commission shall be taken unless the appellant shall have made application for rehearing as herein provided, and when such application shall have been made, no ground not set forth therein shall be urged, relied on, or given any consideration by the court, unless the court for good cause shown shall allow the appellant to specify additional grounds.

**541:6 Appeal.** - Within thirty days after the application for a rehearing is denied, or, if the application is granted, then within thirty days after the decision on such rehearing, the applicant may appeal by petition to the supreme court.